

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

JIMMY DAVIS,

Plaintiff,

v.

CAUSE No. 3:23-CV-555-CWR-ASH

M.T.C., et al.,

Defendants.

ORDER

Before the Court are the defendants' motion to dismiss, the Magistrate Judge's Report and Recommendations (R&R) on that motion, and the plaintiff's objection to the R&R. *See* Docket Nos. 28, 39, and 40.

Upon review, the Court does not agree with Mr. Davis's conclusory assertion that M.T.C.'s operation of his present facility satisfies the imminent danger provision of the PLRA. Accordingly, his objection is overruled, the R&R is adopted, and the motion to dismiss is granted.

A separate Final Judgment shall issue noting that this action shall be reopened if Mr. Davis submits the 2023-era filing fee of \$402 to the Clerk's Office within 30 days.

SO ORDERED, this the 17th day of January, 2025.

s/ Carlton W. Reeves
UNITED STATES DISTRICT JUDGE